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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

JOINT STATUS REPORT

This Document Relates to:

ALL ACTIONS

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

In accordance with this Court's Order Regarding Third Set of Challenges to Uber's Privilege Claims (ECF 2168), the parties submit this Joint Status Report addressing the status of conferrals on a plan for re-review of custodial records for privilege:

1. The parties met and conferred on January 30 and January 31, 2025 to discuss the outstanding privilege challenges and a staged re-review process contemplated by the Court.
2. Through the conferral process, the parties have agreed in principle to a structure for the re-view as follows:
3. For the custodial files of the three deponents described below, Uber agrees to re-review privilege log entries and underlying documents with a pending challenge from Plaintiffs, and to produce a revised privilege log and de-designated documents, if any, no later than 2:00 p.m. PT for Chad Fogg, and 12 p.m. PT for Cory Freivogel and Nairi Hourdajian, two days prior to the scheduled depositions.

Deponent	Confirmed Deposition Date	Revised Log And Documents Due
Fogg, Chad	February 5, 2025	February 3, 2025
Freivogel, Cory	February 6, 2025	February 4, 2025
Hourdajian, Nairi	February 7, 2025	February 5, 2025

4. For the custodial files of other deponents with a confirmed deposition date prior to the production date of the revised privilege log and underlying documents outlined in paragraph 5 below, Uber has agreed to re-review privilege log entries and underlying documents with a pending challenge from Plaintiffs, and to produce a revised privilege log and de-designated documents, if any, in advance of the scheduled deposition. The parties will continue to confer on time frames for the dates of production of privilege logs and documents relative to these deposition dates.
5. For all other privilege log entries and related documents with a pending challenge from Plaintiffs—including those not associated with any scheduled deponent or agreed upon

1 custodian—the parties will continue to confer with the goal of reaching agreement on a date
2 certain by which Uber will produce a revised privilege log and de-designated documents, if
3 any.

4 6. Following the re-review of privilege log entries and underlying documents that Plaintiffs have
5 challenged, and the production of related revised privilege logs and de-designated documents,
6 the parties will follow a sampling verification process. The parties will continue to confer with
7 the goal of reaching an agreement on the sampling method, timing, and size.

8
9 7. In light of the foregoing, the Parties jointly request that the Court set aside the privilege dispute
10 process provided in PTO No. 20 (ECF 1808) for Tranche 4 custodial records. The remaining
11 PTO No. 20 Tranche 4 deadlines are: February 7, 2025 (end of conferral period and deadline
12 and for Plaintiffs to select up to 15 log entries from the initial sample for inclusion in a joint
13 letter); February 14, 2025 (parties to submit a joint letter to the Court addressing up to 15
14 disputed privilege log entries); February 28, 2025 (hearing on Tranche 4 dispute); 7 days after
15 resolution of disputes (Uber shall de-designate and produce Tranche 4 documents consistent
16 with the Court’s order and concessions made by Uber during conferrals); and 21 days after
17 resolution of dispute (Uber shall de-designate and produce documents from other production
18 sets consistent with the Court’s order and concessions by Uber during conferrals). The parties
19 respectfully request that the Court enter an order relieving and removing these PTO No. 20
20 Tranche 4 deadlines, at such time as the parties present what they expect will be a holistic joint
21 plan for the re-review contemplated by the Court.
22

23
24 8. The parties expect to be able to enter a proposed stipulation or joint discovery letter by
25 February 4, 2025 on the matters herein, and will be prepared to discuss this framework during
26 the Discovery Status Conference noticed for February 3, 2025.
27
28

1 DATED: January 31, 2025

Respectfully submitted,

2 By: /s/ Tiffany Ellis

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FILER'S ATTESTATION

I, Maria Salcedo, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

DATED: January 31, 2025

By: /s/ Maria Salcedo
Maria Salcedo (Admitted Pro Hac Vice)